

REMARKS

This is intended as a full and complete response to the Office Action dated September 7, 2006, having a shortened statutory period for response set to expire on December 7, 2006. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-8, 10-12, and 14-33 remain pending in the application after entry of this response and are shown above. Claims 9, 13, and 34 have been canceled by Applicants without prejudice. Claims 12 and 18 are amended to clarify the invention. Claim 8 is amended to provide proper antecedent basis. No new material has been added by the amendments. Reconsideration of the rejected claims is requested for reasons presented below.

Claim Rejections under 35 U.S.C. § 103

Claims 1-6, 8, 10-13, 16-26 and 33-34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent of *Pia et al.*, (5,890,540 (hereinafter, "*Pia*")) in view of US Patent of *Angle* (6,431,270 (hereinafter, "*Angle*")). Claims 7, 14, and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Pia* in view of *Angle* and further in view of *Geaghan et al.*, (20030063073 (hereinafter, "*Geaghan*")). Claims 27-32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Pia* in view of *Angle* and further in view of US Patent of *Zimmerman* (6,109,357 (hereinafter, "*Zimmermann*")). Applicants respectfully traverse these rejections.

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. See MPEP § 2142. To establish a *prima facie* case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one with ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP § 2143.

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The combinations of references above fail to meet at least the third criterion for establishing a *prima facie* case of obviousness. For example, *Pia* in view of *Angle* does not teach, show, or suggest "monitoring the signal via the touch screen to confirm movement of the one or more downhole devices between the positions" as recited in independent claim 1. In addition, *Pia* in view of *Angle* does not teach, show, or suggest "monitoring variables within a fluid control system for operating the downhole tool to confirm the state of the downhole tool, the variables including at least one of pressure, time, total flow, and flow rate, **wherein monitoring the variables comprises viewing a touch screen having information related to the variables**" or "displaying a status on the touch screen indicative of the open or closed position for at least one of the plurality of downhole devices" as recited in amended independent claims 12 and 18, respectively.


As asserted by the Examiner, *Pia* does not disclose monitoring a signal via a touch screen. *Angle* only teaches that "a keyboard or a touch screen" may be used as an input device 434, while a monitor 72 (separate from the input device 434) is used for displaying information (col. 17 lines 14-16, FIG. 8). Displaying a status on the touch screen indicative of the open or closed position is not taught or suggested. Furthermore, the only data monitored or displayed in *Angle* are three dimensional images of the downhole environment or of an object in the wellbore, not a signal to confirm movement of the one or more downhole devices between the open and closed positions. *Geaghan* and *Zimmerman* fail to overcome the limitations of *Pia* in view of *Angle*.

Accordingly, Applicants submit that independent claims 1, 12, and 18, as well as those claims that depend therefrom, are allowable and respectfully request withdrawal of this rejection.

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The references cited by the Examiner, alone or in combination, do not teach, show or suggest the invention as claimed. Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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